

REMARKS

This Amendment is in response to the Office Action mailed on August 21, 2003. Claims 1-27 are pending in the application. Claims 14-17 are withdrawn from consideration in response to a restriction requirement and claims 1-13 and 18-27 are rejected. Applicants respond to the Office Action as follows.

**Response to Claim Objections**

Claims 7-8 were objected to on the basis that the phrase "relatively uniform" is vague and indefinite. Applicants have amended claims 7-8 to recite substantially uniform. Pursuant to MPEP § 2173.05(b), reconsideration and withdrawal of the claim objections with respect to claims 7-8 are respectfully requested.

**Response to Claim Rejections - 35 U.S.C. § 102**

Claims 1-13, 18-20 and 22-27 were rejected under 35 U.S.C. § 102(e) as being anticipated by Bajorek, U.S. Patent No. 6,482,330. Claims 1, 10, 18 and 23 are independent and claims 2-9, 11-13, 19-20 and 24-27 depend therefrom. Claims 1-13, 18-20 and 22-27 were rejected *inter alia* on the basis that Bajorek discloses a magnetic strip including a textured surface portion having a plurality of spaced bumps on a relatively smooth surface of the magnetic strip at Col. 5, lines 19-41.

As amended, claims 1-9 recite *inter alia* a device including a card, a magnetic strip and a textured interface between the card and the magnetic strip which is not taught nor suggested by Bajorek. Claims 10-13 as amended recite *inter alia* a textured interface between a card and a magnetic strip which is not taught nor suggested by Bajorek as previously discussed.

Claims 18-20 and 22-27 as amended recite a slidable magnetic strip similar to that recited in claim 21, which is not

taught nor suggested by Bjorek. Reconsideration and allowance of amended claims 1-13, 18-20 and 22-27 are respectfully requested.

**Response to Claim Rejections - 35 U.S.C. § 103**

Claim 21 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Bjorek, U.S. Patent No. 6,482,330 in view of Stockburger, U.S. Patent No. 6,482,567. Claim 21 as amended recites *inter alia* an encodable magnetic strip including a surface slidable along a body surface of the card which is not taught nor suggested by the combination of Bjorek and Stockburger. Stockburger discloses an authorization card including sliders or plates, 118, 144 to input an authorization code and does not teach nor suggest a slidable magnetic strip or track 117 as recited in claim 21. Reconsideration and allowance thereof are respectfully requested.

New claim 28 is added. Favorable consideration of new claim 28 is respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

WESTMAN, CHAMPLIN & KELLY, P.A.

By: 

Deirdre Megley Kvale, Reg. No. 35,612  
Suite 1600 - International Centre  
900 Second Avenue South  
Minneapolis, Minnesota 55402-3319  
Phone: (612) 334-3222 Fax: (612) 334-3312